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SENATE BILL 655

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY
Steve Komadina

AN ACT

RELATING TO ANIMALS; REQUIRING TESTS OF DEOXYRIBONUCLEIC ACID,
HISTORY AND CONFORMATION WHEN WILD HORSES ARE CAPTURED;
REQUIRING SPANISH COLONIAL HORSES TO BE RELOCATED TO HORSE
PRESERVES; ALLOWING EUTHANASIA; ALLOWING FOR ADOPTION;
PROVIDING FOR THE CONTROL OF WILD HORSE POPULATIONS BY MEANS OF
BIRTH CONTROL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. WILD HORSES--DEOXYRIBONUCLEIC ACID TESTING,
HISTORY AND CONFORMATION--SPANISH COLONIAL HORSES--BIRTH
CONTROL.--

A. As used in this section:

(1) "public land" does not include federal
land controlled by the bureau of land management, the forest
service or state trust land controlled by the state land

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1 office;

2 (2) "range" means the amount of land necessary
3 to sustain a herd of wild horses, which does not exceed its
4 known territorial limits;

5 (3) "Spanish colonial horse" means a wild
6 horse that is descended from horses of the Spanish colonial
7 period; and

8 (4) "wild horse" means an unclaimed horse on
9 public land that is not an estray.

10 B. A wild horse that is captured on public land
11 shall have its deoxyribonucleic acid, history and conformation
12 tested to determine if it is a Spanish colonial horse. If it
13 is a Spanish colonial horse, the wild horse shall be relocated
14 to a state or private wild horse preserve created and
15 maintained for the purpose of protecting Spanish colonial
16 horses. If it is not a Spanish colonial horse, it shall be
17 returned to the public land, relocated to a public or private
18 wild horse preserve or put up for adoption by the agency on
19 whose land the wild horse was captured.

20 C. If the mammal division of the museum of
21 southwestern biology at the university of New Mexico determines
22 that a wild horse herd exceeds the number of horses that is
23 necessary for preserving the genetic stock of the herd and for
24 preserving and maintaining the range, it may cause control of
25 the wild horse population through the use of birth control and

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1 may cause excess horses to be:

2 (1) humanely captured and relocated to other
3 public land or to a public or private wild horse preserve;

4 (2) adopted by a qualified person for private
5 maintenance; or

6 (3) euthanized; provided that this option
7 applies only to wild horses that are determined by a
8 veterinarian to be crippled or otherwise unhealthy.

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